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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 5th April, 1984/*Chaitra* 16, 1906 (*Saka*)

THE NATIONAL SECURITY (AMENDMENT) ORDINANCE, 1984

No. 5 OF 1984

Promulgated by the President in the Thirty-fifth Year of the Republic of India.

An Ordinance to amend the National Security Act, 1980, in its application to the State of Punjab and the Union territory of Chandigarh.

WHEREAS the Council of States is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title and commencement.

1. (*1*) This Ordinance may be called the National Security (Amendment) Ordinance, 1984.

(*2*) It shall come into force at once.

Amendment of Act 65 of 1980 in its application to Punjab and Chandigarh.

2. The National Security Act, 1980 (hereinafter referred to as the principal Act) shall, in its application to the State of Punjab and the Union territory of Chandigarh, have effect subject to the amendments specified in sections 3 to 5.

Amendment of section 3.

3. In sub-section (4) of section 3 of the principal Act, in the proviso,—

(*a*) for the words "ten days", the words "fifteen days" shall be substituted;

(*b*) for the words "fifteen days", the words "twenty days" shall be substituted.

Amendment of section 8.

4. In section 8 of the principal Act, in sub-section (1), for the words "ten days", the words "fifteen days" shall be substituted.

Insertion of new section 14A.

5. In the principal Act, after section 14, the following section shall be inserted, namely:—

Circumstances in which persons may be detained for periods longer than three months without obtaining the opinion of Advisory Boards.

'14A. (1) Notwithstanding anything contained in the foregoing provisions of this Act, any person in respect of whom an order of detention has been made under this Act at any time before the 3rd day of April, 1985 may be detained without obtaining the opinion of the Advisory Board for a period longer than three months, but not exceeding six months, from the date of his detention where such person had been detained with a view to preventing him from acting, in any disturbed area, in any manner prejudicial to—

(*a*) the defence of India; or

(*b*) the security of India; or

(*c*) the security of the State; or

(*d*) the maintenance of public order; or

(*e*) the maintenance of supplies and services essential to the community.

Explanation 1.—The provisions of the *Explanation* to sub-section (2) of section 3 shall apply for the purposes of this sub-section as they apply for the purposes of that sub-section.

Explanation 2.—In this sub-section, "disturbed area" means any area which is for the time being declared by notification under section 3 of the Punjab Disturbed Areas Act, 1983, or under section 3 of the Chandigarh Disturbed Areas Act, 1983, to be a disturbed area. 32 of 1983 33 of 1983.

(2) In the case of any person to whom sub-section (1) applies, sections 10 to 13 shall have effect subject to the following modifications, namely:—

(*a*) in section 10, for the words "shall, within three weeks", the words "shall, within four months and two weeks" shall be substituted;

(*b*) in section 11,—

(*i*) in sub-section (*1*), for the words "seven weeks", the words "five months and three weeks" shall be substituted;

(*ii*) in sub-section (2), for the words "detention of the person concerned", the words "continued detention of the person concerned" shall be substituted;

(*c*) in section 12, for the words "for the detention", at both the places where they occur, the words "for the continued detention" shall be substituted;

(*d*) in section 13, for the words "twelve months", the words "two years" shall be substituted.'.

ZAIL SINGH,
President.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

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